IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

OP.No. 24141 of 2002(Y)

PETITIONER:
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1. V.R.SREEHARI, S/O. R.RAVEENDRAN
VANAJAVILAS, KALLUMTHAZHOM P.O.,
KOLLAM.

2. R.RAVEENDRAN, DO. DO.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS:
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1. THE COMMISSIONER FOR ENTRANCE
EXAMINATIONS, HOUSING BOARD BUILDINGS,
SANTHI NAGAR, THIRUVANANTHAPURAM - 695 001.

2. INSTITUTE OF HUMAN RESOURCES DEVELOPMENT
(IHRD), VAZHUTHACAUD, THIRUVANANTHAPURAM - 14,
REPRESENTED BY THE DIRECTOR.

3. THE PRINCIPAL, COLLEGE OF ENGINEERING,
KARUNAGAPPALLY.

ADDL.4TH RESPONDENT
4. THE DIRECTOR, SCHEDULED CASTES DEVELOPMENT
DEPARTMENT, THIRUVANANTHAPURAM

ADDL.5TH RESPONDENT
5. DISTRICT DEVELOPMENT OFFICER,
SC & ST DEVELOPMENT DEPARTMENT,
DISTRICT OFFICE, KOLLAM

(Addl. R4 and R5 are impleaded vide order dated 12.11.2002 in
CMP.55349/2002 in O.P.24141/2002)

BY ADV. SRI.N.N.SUGUNAPALAN, SC, IHRDE
GOVERNMENT PLEADER SANDHESH RAJA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OP.No. 24141 of 2002

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF ORDER DATED 6.8.2001 IN CMP.32621/2001 IN O.P.20121/01

EXT.P2- TRUE COPY OF PROVISIONAL MEMO DATED 20.8.2001 ISSUED BY THE 1ST RESPONDENT

EXT.P3- TRUE COPY OF LETTER DATED 9.11.2001 ISSUED BY 1ST RESPONDENT TO THE 1ST PETITIONER

EXT.P4- TRUE COPY OF THE RECEIPT DATED 18.12.2001 ISSUED BY THE 3RD RESPONDENT.

EXT.P5- TRUE COPY OF PROVISIONAL SELECTION MEMO DATED 19.7.2002 ISSUED BY THE 1ST RESPONDENT

EXT.P6- TRUE COPY OF APPLICATION DATED 2.8.02 SUBMITTED BY THE 1ST PETITIONER BEFORE 3RD RESPONDENT

EXT.P7- TRUE COPY OF THE LETTER DATED 2.8.2002 ISSUED BY THE 3RD RESPONDENT.

EXT.P8- RELEVANT PORTION OF THE PROSPECTUS FOR ADMISSION to the PROFESSIONAL DEGREE COURSES, 2001

EXT.P9- RELEVANT PORTION OF THE INFORMATION BROCHURE FOR ADMISSION TO PROFESSIONAL DEGREE COURSES, 2001.

EXT.P10- TRUE COPY OF PETITION DATE 5.8.02 FILED BY THE 2ND PETITIONER BEFORE THE 2ND RESPONDENT.

(true copy)

P.A TO JUDGE

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ

O.P.24141/2002

Dated this the 5th day of July, 2007

JUDGMENT

Heard the counsel on either side.

2. This original petition is preferred seeking a writ of certiorari to quash Ext.P7 and a writ of mandamus directing the respondents 2 and 3 to issue transfer certificate to the first petitioner without insisting payment of tuition fee for subsequent years. This Court passed an interim order directing the second respondent to issue the transfer certificate without insisting payment of tuition fee for the entire years, but on the petitioner furnishing bank guarantee for an amount of Two Lakhs.

3. Considering the facts and circumstances of the case, we are inclined to direct the respondent to release the bank guarantee retaining the tuition fee for the period for the first year within one month from the date of receipt of a copy of this judgment.

The original petition is disposed of as above.

K.S.RADHAKRISHNAN
Judge

ANTONY DOMINIC
Judge

mrcs